

ROCHESTER CITY COUNCIL

REGULAR MEETING

AUGUST 11, 2009

Present - President Santiago, Councilmembers Conklin, Lightfoot, McFadden, Miller, Pritchard, Spaul, Warren - 8.

Absent - Councilmember Palumbo - 1.

The Council President requested the Council to rise for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Recognition Ceremony

Retirement:

**IT**

\*William G. Smith

**NBD**

Michael L. Coniff

**RFD**

\*Paul T. Savastano

\*Christopher Shevlin

**RPD**

\*Glenn Beard

\*Charles E. Clottin

James Hall

\*Margarita J. Perez-Dunham

\*Michael Vasquez

*\*Not attending meeting.*

APPROVAL OF THE MINUTES

By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of July 14, 2009 and the minutes of the Special Meeting of June 24, 2009 be approved as published in the official sheets of the Proceedings.

Passed unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

August 11, 2009

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 3973-09  
Quarterly Report  
Professional Service Agreements 3974-09  
Public Disclosure - HOME Participation (5) 3975-09, 3976-09, 3977-09, 3978-09, 3979-09  
Public Disclosure - CDBG Participation (3) 3980-09, 3981-09, 3982-09  
East End Garage Evaluations 3983-09

#### THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

None presented.

#### PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Changing The Zoning Classification Of Part Of 640 Jefferson Avenue And 654-658, 663-687, 666, 672, 676 And 691-693 Jefferson Avenue From R-1 Low Density Residential To C-1 Neighborhood Center  
Int. No. 306 No speakers.

Amending The Official Map By Abandonment Of A Portion Of School Alley From Broad Street To Its South End Int. No. 318 No speakers.

#### INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

#### REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin  
August 11, 2009

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

Int. No. 291 - Cancellation Of Taxes And Charges

Int. No. 292 - Acceptance Of Library Computer Grant And Amending The 2009-10 Budget

Int. No. 293 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Benefits Programs

Int. No. 294 - Establishing Maximum Compensation For A Professional Services Agreement For GIS Training

Int. No. 295 - Authorizing Amendatory Agreements For Operation Of The Court Street And High Falls Parking Garages

August 11, 2009

Int. No. 315 - Resolution Authorizing Establishment Of A Sister Cities Relationship With Alytus, Lithuania

Int. No. 321 - Amending The 2008-09 Budget

Respectfully submitted,  
Carolee A. Conklin  
Carla M. Palumbo (Voted on Int. No. 321 only)  
Lovely A. Warren  
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-263  
Re: Cancellation or Refund of Erroneous  
Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$4,226.71.

The subject property was classified incorrectly on the 2009 final assessment roll as being part of the Non-Homestead class. It is a mixed-use property with the majority of the floor space used for residential purposes and, therefore, should be classified and taxed as a Homestead property.

If this cancellation is approved, total cancellations thus far for 2009-10 will be \$ 4,226.71.

	<u>Accounts</u>	<u>Amounts</u>
City Council	1	\$4,226.71
Administrative	<u>0</u>	<u>0</u>
Total	1	\$4,226.71

These cancellations represent .002% of the taxes receivable as of July 1, 2009.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-263  
(Int. No. 291)

Cancellation Of Taxes And Charges

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (A) This property was misclassified as being part of the Non-homestead Class on the 2009 Final Assessment Roll. It is a Homestead property taxable at the lower rate.

<u>S.B.L.#</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
121.43-2-19	H	377-379 Park Av	2010	<u>\$4,226.71</u>

August 11, 2009

Grand Total

\$4,226.71

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-264

Re: Agreement - Gates Foundation,  
Grant for Branch Library  
Technology

Transmitted herewith for your approval is legislation authorizing an agreement with the Gates Foundation for the receipt and use of a \$17,700 grant, and amending the 2009-10 Cash Capital allocation (Library) by this amount.

The grant will be used to purchase computer hardware, software, and peripherals for patron use at the Lincoln, Lyell, Maplewood, and Wheatley Branch Libraries, thereby enhancing Library literacy efforts. It is anticipated that the computers will be installed by the end of this calendar year.

Respectfully submitted,  
Robert Duffy  
Mayor

Ordinance No. 2009-264  
(Int. No. 292)

Acceptance Of Library Computer Grant And Amending The 2009-10  
Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acceptance of a Gates Foundation Grant for Branch Library computers.

Section 2. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital allocation by the sum of \$17,700, which amount is hereby appropriated from the grant funds authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-265

August 11, 2009

Re: Amendatory Agreement - EBS Benefit  
Solutions, Health Reimbursement  
Accounts

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with EBS Benefit Solutions to provide additional administrative services for a new employee benefit program. The original agreement, authorized in December 2006, provides for the administration of employee flexible spending accounts at a cost of \$63,000. This amendment will increase maximum compensation by \$25,000 for a total of \$88,000. The additional cost will be funded from the 2009-10 Budget for Undistributed Expense.

In addition to the currently offered Medical and Dependent Care Flexible Spending Accounts (FSAs), Health Reimbursement Accounts (HRAs) will be established for all Union-represented employees effective September 1, 2009. This new benefit is a result of recent collective bargaining negotiations with each of the City's labor unions. HRAs are governed by the Internal Revenue Service, are funded by employers, and provide reimbursement to participants for out-of-pocket medical expenses (i.e., co-pays, eyewear, and dental services).

The HRAs will be funded from the projected savings resulting from the new health insurance plans designed by the City of Rochester's Labor/Management Health Care Committee. The annual amount to be deposited into each employee's HRA is specific to each Labor Union as follows:

	Year 1 Sep 2009 - <u>Aug 2010</u>	Year 2 Sep 2010 - <u>Aug 2011</u>	Year 3 Sep 2011 - <u>Aug 2012</u>
AFSCME, Local 1635	\$237.50	\$450.00	\$450.00
Police Locust Club	\$400.00	\$800.00	\$800.00
IAFF, Local 1071	\$400.00	\$800.00	\$800.00
IUOE, Local 832S	\$237.50	\$450.00	\$450.00

The HRAs will initially be set up through EBS Benefit Solutions, the current FSA administrator. In anticipation of the December 31, 2009 expiration of the EBS contract, proposals will be solicited for the combined FSA/HRA services for the January 2010 plan year.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-265  
(Int. No. 293)

Establishing Maximum Compensation For An Amendatory  
Professional Services Agreement For Benefits Programs

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$25,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and EBS Benefit Solutions to administer the Flexible Spending and Parking/Transit Reimbursement Programs. Said amount shall be funded from the 2009-10 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

August 11, 2009

Ordinance No. 2009-266  
Re: Agreement - Bergmann Associates,  
Geographic Information Services  
Training

Transmitted herewith for your approval is legislation establishing \$18,200 as maximum compensation for an agreement with Bergmann Associates, located in the city, to train City staff in the use of geographic information systems (GIS). The cost of this agreement will be funded from the 2008-09 Budget of the Department of Community Development (\$10,000), and the 2009-10 Budgets of the Departments of Environmental Services (\$7,115) and Neighborhood and Business Development (\$1,085).

GIS training will be provided for City staff who are assigned to the new Quadrant Teams. This training will ensure that each quadrant team has adequate GIS support for their projects.

Bergmann Associates will provide certified ESRI software training in ArcGIS Desktop II, ArcGIS Desktop III, and Building Geodatabases. Bergmann is the only certified ArcGIS trainer in the area.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-266  
(Int. No. 294)

Establishing Maximum Compensation For A Professional Services  
Agreement For GIS Training

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$18,200, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for Geographic Information Systems training. Of said amount, \$7,115 shall be funded from the 2009-10 Budget of the Department of Environmental Services, \$1,085 shall be funded from the 2009-10 Budget of the Department of Neighborhood and Business Development and \$10,000 shall be funded from the 2008-09 Budget of the Department of Community Development.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen

Ordinance No. 2009-267  
Re: Amendatory Agreements - AllPro  
Parking and Central Parking,  
Garage Operations

Transmitted herewith for your approval is legislation authorizing amendatory agreements for the operation of the Court Street and High Falls garages, as follows:

AllPro Parking LLC - Court Street Garage

August 11, 2009

The agreement for operation of this garage was authorized by Ordinance No. 2005-265. The amendatory agreement will:

1. Extend the term for one year, through August 31, 2010, with a provision for earlier termination by the City with 60 days notice; and
2. Authorize AllPro Parking to deduct the cost of maintaining the revenue control equipment, once the warranty expires on June 10, 2010; and

Central Parking, d/b/a Allright New York Parking, Inc. - High Falls Garage

The agreement for the operation of this garage was authorized by Ordinance No. 2006-309. The amendatory agreement will extend the term for one year, through September 30, 2010, with a provision for earlier termination by the City with 60 days notice.

Amendments to these agreements are recommended so that termination dates can be matched to other garage operating agreements. This will facilitate the City's option to consider packaging several garages for new operating agreements during the next year.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-267  
(Int. No. 295)

Authorizing Amendatory Agreements For Operation Of The Court  
Street And High Falls Parking Garages

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with AllPro Parking, LLC, for operation of the Court Street Parking Garage for an additional term of one year, subject to termination for the convenience of the City upon sixty days notice by the City. Upon termination of the revenue control equipment warranty, AllPro shall be authorized to deduct the cost of a City-approved maintenance agreement for the remainder of the term.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Central Parking, d/b/a Allright New York Parking, Inc. for operation of the High Falls Parking Garage for an additional term of one year, subject to termination for the convenience of the City upon sixty days notice by the City.

Section 3. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Resolution No. 2009-13  
Agreement - Alytus, Lithuania,  
Sister City Relationship

August 11, 2009

Transmitted herewith for your approval is legislation authorizing an agreement with the City of Alytus, Lithuania to establish a relationship with the City of Rochester as part of the International Sister Cities of Rochester, Inc. (ISCOR) program.

In 1958, Rochester helped initiate a national movement of citizen diplomacy intended to build international understanding and contribute to world peace. Its activities have included international exchanges in education, culture, tourism, business, and humanitarian aid. Since then Rochester has developed relationships with 11 international cities. The Rochester program is run by volunteers who serve on individual Sister Cities Committees, and the umbrella organization of ISCOR.

In 2006 a diverse group of community volunteers proposed a Sister City connection with Alytus, Lithuania, and recommended a program of activities to develop a mutually beneficial relationship for the partner communities. The ISCOR Board of Trustees endorsed the recommendation and designated the group as the "Alytus-Rochester Friendship Committee" to explore and develop a program that could serve as the basis for a long-term, Sister City relationship. The committee has since developed exchanges of high school students and musicians, participated in and sponsored Rochester community international events, and helped develop a counterpart volunteer committee in Alytus, laying the necessary foundation for a successful relationship.

Alytus lies on the banks of the Nemunas River in southern Lithuania, near the border with Poland. It is the historical center of the Dzūkija region, with a population of approximately 69,000. Historically a notable center of commerce on the Nemunas River, Alytus lies on a main export route for Lithuanian goods. The region is noted for its beautiful landscapes, rivers, lakes, and forests. Alytus itself is known for its festivals and parks, including the Vidzgiris forest, a 1,100 acre botanical reservation. Its cultural life annually includes over 500 concerts, performances, exhibitions, and other events, and many professional and amateur arts organizations. Alytus College caps the city's network of general, vocational, arts and music schools.

The ISCOR Board of Trustees evaluated the progress of the Alytus-Rochester Friendship Committee at their May 4, 2009 meeting, and recommends that a Sister City relationship be established.

Upon similar approval by the Alytus City Council, the mayors of both cities will then enter a Sister City agreement which will formally adopt Alytus as Rochester's 12<sup>th</sup> Sister City.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Resolution No. 2009-13  
(Int. No. 315)

Resolution Authorizing Establishment Of A Sister Cities  
Relationship With Alytus, Lithuania

WHEREAS, residents and elected officials in and around the City of Rochester, in the State of New York, and the Country of the United States, and residents and elected officials in and around the City of Alytus, Lithuania, have expressed a common desire to develop a permanent relationship between the two cities in the areas of education, medicine, economics, technology, culture and other areas of interest; and,

WHEREAS, it is expected that this relationship will include educational, medical, economic, technical, cultural and other exchanges that will result in better understanding and appreciation of the cultures of the respective communities by their citizens; and,

WHEREAS, it is expected that this relationship will provide many other beneficial results and be advantageous to the residents of both Rochester and Alytus; and,

WHEREAS, the Board of Trustees of International Sister Cities of Rochester, NY, Inc., recommends the establishment of a sister cities relationship with Alytus;



August 11, 2009

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, as follows:

Section 1. The City Council of the City of Rochester approves the establishment of a sister cities relationship between the City of Rochester and the City of Alytus, Lithuania.

Section 2. The Mayor is hereby authorized to enter into an agreement with the City of Alytus for the establishment of a Sister Cities relationship following approval of the relationship by the City Council of the City of Alytus.

Section 3. The City Clerk is directed to send a certified copy of this resolution to the Mayor and City Council of the City of Alytus, Lithuania.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-268

Re: 2008-09 Budget Amendment

Transmitted herewith for your approval is legislation amending the 2008-09 Budget. This legislation will:

1. Increase Cash Capital allocations by \$7,000,000 to fund one-time capital expenditures by:
  - a. Decreasing the appropriations of several departments by a total of \$2,700,000 to reflect a portion of the savings from the hiring freeze;
  - b. Transferring \$4,300,000 from Contingency;
2. Transfer \$2,985,000 from Contingency to the Police, Fire and Undistributed departments for pending wage and salary settlements;
3. Transfer \$98,000 from Contingency to the Fire Department.

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter.

The City Council has previously authorized 50 other amendments to the 2008-09 budget. These amendments reflected 14 appropriation transfers, 35 appropriation increases based upon the receipt of additional revenues, and one appropriation decrease due to the repeal of Ord. No. 2009-06.

Actual receipts and expenditures for 2008-09 will be audited by the City's external auditors, Freed, Maxick and Battaglia. The proposed amendments are required to complete the audit process and ensure adherence to Section 6-16 of the Charter, which prohibits expenditures in excess of authorized appropriations.

Two main factors will enable the acceleration of several capital projects and will provide some budget flexibility going forward:

1. A hiring freeze in place during the entire fiscal year as well as the containment of overtime expense. The Office of Management and Budget estimates the General Fund savings from the freeze and overtime containment to be over \$4.1 million;
2. Tightly managing the budget during the year and limiting the use of contingency funds.

August 11, 2009

A shortfall in sales tax collections was offset by a combination of unanticipated revenue to the General Fund from the 2008-09 lien sale (\$4.1 million), fuel savings, and savings from the hiring freeze.

The proposed increase to the Cash Capital allocation is to fund priority capital projects and accelerate several capital projects included in the City's Capital Improvement Program, as well as items discussed during the Council's review of the proposed 2009-10 Budget. This proposal also provides future flexibility. These projects and their amounts are:

Land Acquisition and Site Preparation	\$2,900,000
Former Phototech Site Infrastructure	1,900,000
North Street Recreation Center	600,000
Street Milling & Resurfacing	831,000
City Hall-B Building Elevator Upgrade	250,000
High Falls Heritage Race Repair	290,000
Switchgear Replacement at 911 Center	85,000
S. Clinton Avenue Street Design	82,000
Finance Business Process Mapping	<u>62,000</u>
Total	\$7,000,000

On June 17, 2008, when the 2008-09 Budget was adopted by the City Council, salary and wage rates had not yet been established for employees represented by the International Association of Firefighters, Inc. (IAFF) nor the Rochester Police Locust Club, Inc., as both collective bargaining agreements were in negotiation. Negotiations with both unions are not yet completed, and the City is currently proceeding with mediation with the IAFF and Police Locust Club. An allowance is being made for the projected anticipated costs for these not yet settled contracts.

Fire Department expenditures exceeded the Department's authorized appropriation primarily due to overtime necessitated by an increase in sick time usage. This proposed transfer from Contingency to the Fire Department is to ensure compliance with Section 6-16 of the Charter.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-93

Ordinance No. 2009-268  
(Int. No. 321)

#### Amending The 2008-09 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2008-198, the 2008-09 Budget of the City of Rochester, as amended, is hereby further amended by decreasing the following appropriations by the sum of \$2,700,000 and transferring said amount to the Cash Capital allocation:

Administration	
Office of Management and Budget/311	\$263,000
Neighborhood Service Centers	98,600
Community Development	103,900
Environmental Services	552,400
Finance	55,600
Recreation and Youth Services	122,800
Police	903,700
Undistributed	600,000

August 11, 2009

Section 2. Ordinance No. 2008-198, the 2008-09 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$7,383,000 from the Contingency allocation to the following appropriations:

Police	\$1,665,400
Fire	1,140,600
Undistributed	277,000
Cash Capital	4,300,000

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

---

By Councilmember Warren  
August 11, 2009

To the Council:

The Neighborhood & Community Development Committee recommends for Adoption the following entitled legislation:

Int. No. 296 - Authorizing The Sale Of Real Estate

Int. No. 297 - Approving The Granting Of A Permanent Easement Over Former Railroad Right Of Way Adjacent To 44 Scrantom Street

Int. No. 298 - Authorizing An Agreement For Elevator Inspection Services

Int. No. 299 - Amending The 2009-10 Budget With Respect To The Bureau Of Planning And Zoning Intern Program

Int. No. 300 - Appropriating Funds For The Private Housing Demolition Program

Int. No. 301 - Authorizing An Agreement For The Beechwood Focused Investment Strategy Project

Int. No. 302 - Appropriating Funds And Authorizing Agreements For The Focused Investment Strategy Vacant Lot Fencing And Greening Program

Int. No. 303 - Authorizing The Sale Of Real Estate For The Mildred Johnson Estates II Affordable Housing Project

Int. No. 304 - Approving A Property Tax Exemption And Authorizing An In Lieu Of Tax Agreement For The Mildred Johnson Estates II Affordable Housing Project

Int. No. 305 - Approving A Loan Agreement For The Mildred Johnson Estates II Affordable Housing Project

Int. No. 319 - Appropriating Funds And Authorizing Agreements For The Focused Investment Strategy Exterior And Security Rehabilitation Program

Int. No. 320 - Appropriating Funds And Authorizing Agreements For The Homeless Prevention And Rapid Re-Housing Program

August 11, 2009

The Neighborhood & Community Development Committee recommends for Consideration the following entitled legislation:

Int. No. 306 - Changing The Zoning Classification Of Part Of 640 Jefferson Avenue And 654-658, 663-687, 666, 672, 676 And 691-693 Jefferson Avenue From R-1 Low Density Residential To C-1 Neighborhood Center

The following entitled legislation is being HELD in committee:

Int. No. 318 - Amending The Official Map By Abandonment Of A Portion Of School Alley From Broad Street To Its South End

Respectfully submitted,

Lovely A. Warren

Carolee A. Conklin

Carla M. Palumbo (*Abstained on Int. No. 320*)

Gladys Santiago (*Voted on Int. No. 320 only*)

William F. Pritchard (*Voted on Int. No. 320 only*)

NEIGHBORHOOD & COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-269

Re: Sale of Real Estate

Transmitted herewith for your approval is legislation approving the sale of seven properties. With the exception of purchasers of unbuildable vacant land, staff has audited City records to ensure that purchasers do not own other properties with code violations or delinquent taxes. The records of the Bureau of Inspection and Compliance Services were also audited to ensure that purchasers have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first two properties are a two-family and four-family home, respectively. Both will be rehabilitated and receive new Certificates of Occupancy. The next property will be rehabilitated into a plumbing supply building. The fourth parcel is being sold to an individual who plans to renovate the structure into a small storage building for home repair materials. Purchasers will be required to obtain all pertinent City approvals prior to rehabilitation of these structures.

The next two properties will be sold to the Rochester Housing Development Fund Corporation (RHDFC). Both structures will be rehabilitated and sold to owner-occupant, first-time buyers.

The last sale is a buildable lot that is being sold to an adjoining owner. The buyer will use the lot for additional green space and combine the lot with her adjoining parcel.

The first year projected tax revenue for these seven properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$10,277.

All City taxes and other charges, except water charges, against properties being sold by the City will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,

Robert J. Duffy

August 11, 2009

Mayor

Attachment No. AI-94

Ordinance No. 2009-269  
(Int. No. 296)

Authorizing The Sale Of Real Estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the request for proposal sale of the following parcels of improved property:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Price</u>	<u>Purchaser</u>
697 Genesee St	120.82-4-27	43x150	\$ 7,000	Mollye Huddleston
703 Genesee St	120.82-4-28	43x150	\$11,000	Mollye Huddleston
923-925 Maple St	120.32-1-17.1 & 18	102x120	\$ 4,000	Gayle Fleming
65-75 Wilton Ter	120.64-2-57 & 58	146x100	\$ 9,300	Henry Isaacs

Section 2. The Council hereby approves the negotiated sale of the following parcels of improved property:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Price</u>	<u>Purchaser</u>
237 Sherwood Ave	120.64-3-58	40x112	\$ 5,000	*RHDFC
80 Chapin St	091.76-1-11	40x113	\$15,000	*RHDFC

\*Principals: Jean Lowe, President; Michael Burke, Treasurer

Section 3. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Price</u>	<u>Purchaser</u>
217-223 Berlin St	106.24-1-47 & 48	64x107	\$ 150	Yvette Rosa

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-270  
Re: Easement - Scrantom Street

August 11, 2009

Transmitted herewith for your approval is legislation authorizing the granting of a permanent easement over City-owned property to Daisy Pagan and Agnes Ramos, the owners of the adjacent property at 44 Scrantom Street. The subject easement comprises approximately .028 acres and is part of the former CSX railroad right-of-way.

The City acquired this property from CSX Transportation, Inc. in November, 2006. The granting of this easement, for ingress and egress, will allow the owners of 44 Scrantom Street access to their garage located at the rear of the property.

The purchase amount of \$350 was established through an independent appraisal prepared by Stephen Ferrara, SRA of Pogel, Schubmehl & Ferrara, LLC. The City's Department of Environmental Services has reviewed this transaction and concurs with the granting of the easement.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-95

Ordinance No. 2009-270  
(Int. No. 297)

Approving The Granting Of A Permanent Easement Over Former  
Railroad Right-Of-Way Adjacent To 44 Scrantom Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the granting of a permanent easement over a portion of a City-owned parcel of former railroad right-of-way adjacent to 44 Scrantom Street, comprising approximately 0.28 acres, to Daisy Pagan and Agnes Ramos for the sum of \$350.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-271  
Re: Agreement - National Elevator  
Inspection Services, Inc.

Transmitted herewith for your approval is legislation authorizing an agreement with National Elevator Inspection Services, Inc., of St. Louis, for the continued provision of elevator inspection and certification services. Primarily, this agreement stipulates the amounts building owners will be charged to have their elevators inspected. It will also include maximum compensation of \$10,000 to be paid by the City for any elevator inspection services that City staff are not able to complete. The cost of this agreement will be financed from the 2009-10 Budget of the Department of Neighborhood and Business Development.

Under Chapter 50 of the City Code, any new or existing elevator in Rochester must be inspected and certified prior to its initial use and periodically thereafter. Since 1987, National has performed the required inspections and certifications for the City under periodic agreements. The most recent agreement was authorized by City Council on July 18, 2006, in Ordinance No. 2006-219.

Under the agreement, National will provide the following services at the following designated rates:

August 11, 2009

1. Review and approval of permit applications, plans and specifications related to the construction and installation of new and existing conveyances - \$45.00 per hour.
2. Safety Test Witness Inspection and re-inspection due to failure of test - \$65.75 per hour.
3. Periodic re-inspection of existing conveyances and re-inspection due to failure of test or uncorrected violations - \$55.75 per unit.
4. Issuance of certificates, as appropriate - no charge.
5. Investigation of complaints of improper maintenance referred by NBD - no charge.
6. Decommissioning conveyances for use when ordered by the Commissioner of NBD - \$55.75 per unit.

The agreement will have a term of one year with provision for renewal for two additional one-year periods.

Approximately 3,000 certificates are issued each year in the City, each of which requires an inspection. Elevators are also subject to annual safety and five-year full-load test inspections. Accordingly, total annual fees received by National, from both the City and applicants, are expected to be approximately \$400,000.

A request for proposals for these services was issued in March 2009; National Elevator Inspection Services, Inc. was the only firm to respond.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-271  
(Int. No. 298)

#### Authorizing An Agreement For Elevator Inspection Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into the extension of an agreement with National Elevator Inspection Services, Inc. for the continued provision of elevator inspection services in the City of Rochester for a period of one year, with two one-year renewal options.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$10,000 annually for such services, and said amount, or so much thereof as may be necessary, shall be funded from the 2009-10 and subsequent budgets of the Department of Neighborhood and Business Development, contingent upon approval of subsequent budgets. The agreement shall also establish the amounts to be paid for certain services by the permit applicants.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-272

August 11, 2009

Re: Bureau of Planning and Zoning  
Intern Program

Transmitted herewith for your approval is legislation appropriating \$4,300 from the Improving the Housing Stock allocation of the 2008-09 Consolidated Community Development Plan; and amending the 2009-10 Budget of the Department of Neighborhood and Business Development to provide wages for summer interns.

The funds will be used for two college students who will be assigned to the Bureau of Planning and Zoning for seven-week internships, from June 29 through August 14, 2009. The two positions will be funded at \$7.90 per hour with the interns working between 20-32 hours per week.

The two interns, selected following a competitive application process, will be assigned to Planning and Zoning projects, such as a review of the 2003 Zoning Code revisions, the Rochester Refugee Consortium project, and the Action Plan update process.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-272  
(Int. No. 299)

Amending The 2009-10 Budget With Respect To The Bureau Of  
Planning And Zoning Intern Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Neighborhood and Business Development by the sum of \$4,300, which amount is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Program to fund the Bureau of Planning and Zoning Intern Program.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-273  
Re: Focused Investment Strategy -  
Private Housing Demolition Program

Transmitted herewith for your approval is legislation appropriating \$200,000 from the 2008-09 Community Development Block Grant to fund the Private Housing Demolition Program, a component of the City's Focused Investment Strategy. These funds are included in the CDBG Improving the Housing Stock and General Property Conditions allocation of the Neighborhood and Asset-Based Planning category.

The Private Housing Demolition Program will allow for the removal of vacant and blighted privately-held residential structures located in the FIS areas. Eligible properties will be those that are identified as unsafe, dangerous or a public nuisance per the guidelines of Section 47-A16 of the City Code. Identified properties will be subject to the City's private demolition hearing process to determine if the structure should be demolished.

FIS stakeholders will work with City Neighborhood Service Center staff to identify candidate properties for the program. The goal is to demolish two or three structures in each FIS area; the funds are sufficient to



August 11, 2009

address a total of 10 demolitions. Property eligibility will be determined between August and September 2009 and are expected to enter the hearing process by the end of September. The timeframe for properties to be demolished is expected to be about nine months, including the three months to obtain a hearing date.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-273  
(Int. No. 300)

Appropriating Funds For The Private Housing Demolition Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Program the sum of \$200,000, or so much thereof as may be necessary, to fund the Private Housing Demolition Program in the Focused Investment Strategy Areas.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-274  
Re: Agreement - NEAD, Beechwood  
Focused Investment Strategy

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with North East Area Development, Inc. (NEAD) located at 360 Webster Avenue, Rochester, to act as general contractor for the renovation of a building at 256 Webster Avenue, as part of the City's Focused Investment Strategy (FIS); and appropriating this amount from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Consolidated Community Development Plan.

The property at 256 Webster Avenue is a component of a larger FIS project that includes the renovation of three properties near the intersection of Webster Avenue and Melville Street. This site has been identified as a priority project by the Beechwood FIS Team working in conjunction with community leaders. The project includes the rehabilitation of 256 Webster Avenue, including improvements to the neighboring vacant lot; demolition of 264-268 Webster Avenue; and a development plan for 262 Webster Avenue.

Initial use for 256 Webster will include: an office for NEAD Realtors that focuses on City real estate activities; storage for a community tool library; storage for materials donated by Home Depot that have been designated for distribution to area residents; and office space for use by the City FIS Team and associated partners. Finally, NEAD will be using the site to coordinate construction of the Eco-dome, a completely green energy housing structure to be constructed next to 256 Webster Avenue.

NEAD has invested over \$35,000 in renovating the building and has leveraged an additional \$10,000 for other work. Work completed to date includes: installation of a new bathroom and fixtures, new hardwood floors, stamped ceilings, shelving in the tool area, and wiring; and renovation and painting of interior walls. Remaining work will include installation of a new wrought iron fence to match other properties in the neighborhood, resurfacing of the parking lot, and a new exterior façade.

The City funds, along with a \$10,000 Main Street grant, will be used as follows:

August 11, 2009

<u>Item</u>	<u>Cost</u>
Windows, doors, façade treatment (incl. lighting, awning)	\$25,000
Parking Lot	15,000
Fencing	<u>10,000</u>
Total	\$50,000

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-274  
(Int. No. 301)

Authorizing An Agreement For The Beechwood Focused Investment  
Strategy Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the North East Area Development, Inc. for funding for the renovation of the commercial building at 256 Webster Avenue as a part of the Beechwood Focused Investment Strategy Project.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$40,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-275  
Re: Focused Investment Strategy -  
Vacant Lot Fencing and Greening  
Program

Transmitted herewith for your approval is legislation appropriating \$200,000 from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Block Grant to fund the Vacant Lot Fencing and Greening Program, which is a component of the Focused Investment Strategy; and authorizing any agreements required to implement the program.

The Vacant Lot Fencing and Greening Program is intended to beautify neighborhoods while simultaneously engaging residents in community-building projects. Fencing will be installed by a contractor and planting materials will be made available to community groups that wish to beautify the lots. These enhancements will create clean and inviting vacant lots that could lead to an increase in passive recreation and community gardening within City neighborhoods.

The cost per lot will not exceed \$5,000, depending on lot size and fencing material selected, allowing for as many as sixty lots to be addressed. City funds will be expended through a purchase requisition for supplies,

August 11, 2009

equipment and services, using an existing term contract that provides fencing, and another term contract with various area nurseries for the provision of trees and plants. Community groups, upon applying for and receiving a garden permit, will be supplied with materials to green and beautify the lots.

The program will be evaluated for possible extension City wide.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-96

Ordinance No. 2009-275  
(Int. No. 302)

Appropriating Funds And Authorizing Agreements For The Focused  
Investment Strategy Vacant Lot Fencing And Greening Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Program the sum of \$200,000, or so much thereof as may be necessary, to fund the Focused Investment Strategy Vacant Lot Fencing and Greening Program.

Section 2. The Mayor or his designee is hereby authorized to enter into such agreements as may be necessary to implement the Program.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-276, Ordinance No. 2009-277  
And Ordinance No. 2009-278  
Re: Mildred Johnson Estates II Rental  
Housing Project

Transmitted herewith for your approval is legislation relating to the Mildred Johnson Estates II (MJE II) affordable housing project being undertaken by PathStone, Corp. This legislation will:

1. Authorize the sale of 25 City-owned vacant lots to PathStone, Corp., or an affiliated partnership or housing fund development corporation to be formed by PathStone, for the project;
2. Authorize property tax exemptions and payment-in-lieu-of-taxes agreements for the project;
3. Appropriate a total of \$300,000 of HOME funds from the Improving the Housing Stock and General Property Conditions, Rental Housing allocation as follows:

2003-04

\$100,000

August 11, 2009

2008-09	4,000
2009-10	<u>196,000</u>
Total	\$300,000

4. Authorize a loan agreement not to exceed \$300,000 with PathStone, Corp., or an affiliated partnership or housing fund development corporation to be formed by PathStone, which will be funded from the appropriations requested herein; and
5. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits or for the project.

This project includes the construction of 20 single-family rental housing units and a community center on clustered sites in close proximity to Mildred Johnson Estates I homes, in the 14621 neighborhood in northeast Rochester. Mildred Johnson Estates I, completed in June 2008, consists of 23 single-family rental units. A property list for MJE II, and a map showing both phases of the Mildred Johnson Estates project are attached. The sites referenced on the map are contingent upon the demolition of structures prior to the developer's required project closing date.

PathStone, Corp. has received Low Income Housing Tax Credits (LIHTC) and New York State Housing Trust Funds for the construction of this project. All units will be for families with 50% or less of median income. Five units of project-based Section 8 assistance have been awarded by the Rochester Housing Authority. At the end of the 15-year compliance period, the single-family homes will be offered for sale to the tenants.

Of the 20 units in the project, 17 will be three-bedroom colonial style; and three will be three-bedroom handicapped accessible ranch style homes. All units will be visitable. The community center will be a single-story accessible structure that will provide meeting space for tenants as well as an on-site property management office. PathStone Corp. has prepared a preliminary neighborhood plan and is partnering with the Alphonse Bernard Block Club and Group 14621 Community Association to further define goals for the neighborhood.

#### Project Budget

##### Costs:

Property acquisition	\$ 10,600
Soft costs and syndication	501,625
Construction	4,283,268
Construction contingency	190,178
Developer fee	600,122
Reserves	65,431
Working capital	<u>29,000</u>
Total	\$5,680,224

##### Sources:

City HOME Program	\$ 300,000
LIHTC Equity	3,003,000
TCAP	1,997,187
Federal Home Loan Bank	200,000
Developer's Fee	<u>180,037</u>
Total	\$5,680,224

The City funds will be used to partially fund the 20 homes via a 30-year permanent loan with interest at the Applicable Federal Rate (AFR) and annual interest payments of 1%. The proposed in-lieu of tax agreement would provide a 30-year exemption in consideration for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents less utility costs).

Respectfully submitted,  
Robert J. Duffy

August 11, 2009

Mayor

Attachment No. AI-97

Ordinance No. 2009-276  
(Int. No. 303)

Authorizing The Sale Of Real Estate For The Mildred Johnson  
Estates II Affordable Housing Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the sale of the following parcels of real estate to PathStone Corp., or an affiliated partnership or housing development fund company formed for the purpose of developing the project, for the following amounts, for the construction of housing as a part of the Mildred Johnson Estates II Affordable Housing Project:

<u>Parcel Address</u>	<u>Dimensions</u>	<u>SBL#</u>	<u>Price</u>
37 Alphonse Street	51'x145'	106.32-2-43	\$500
43 Alphonse Street	48'x145'	106.32-2-44	\$475
55 Alphonse Street	50'x145'	106.32-2-46.1	\$500
108 Alphonse Street	52'x145'	106.32-2-11.2	\$500
154 Alphonse Street	40'x137'	106.33-1-8	\$450
166 Alphonse Street	49'x137'	106.33-1-10	\$475
728-730 Clifford Avenue	93'x145'	106.32-2-31.1	\$600
732 Clifford Avenue	49'x145'	106.32-2-30	\$500
756-760 Clifford Avenue	48'x100'	106.32-2-25	\$425
45 Maria Street	66'x139'	106.32-1-55.1	\$550
54 Maria Street	46'x146'	106.32-1-37	\$500
89 Maria Street	72'x139'	106.23-3-53.1	\$550
91 Maria Street	35'x139'	106.23-3-52	\$425
88 Thomas Street	48'x149'	106.32-2-36	\$500
91 Thomas Street	46'x146'	106.32-1-19	\$475
92 Thomas Street	48'x149'	106.32-2-37	\$500
94 Thomas Street	97'x100'	106.32-2-38.1	\$550
95 Thomas Street	61'x146'	106.32-1-17.1	\$525
119 Thomas Street	58'x101'	106.24-2-65.1	\$450
133 Thomas Street	69'x159'	106.24-2-58.1	\$600
137 Wilkins Street	80'x137'	106.23-3-29.1	\$600
138 Wilkins Street	80'x102'	106.23-3-23.1	\$525
164 Wilkins Street	70'x102'	106.24-1-91.1	\$500
187 Wilkins Street	80'x102'	106.24-2-5.1	\$525
260 Wilkins Street	70'x102'	106.24-1-73.1	\$500

Section 2. City taxes and other City charges, except water charges, against said properties are hereby cancelled up to the day of closing for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2009-277  
(Int. No. 304)

August 11, 2009

Approving A Property Tax Exemption And Authorizing An In Lieu  
Of Tax Agreement For The Mildred Johnson Estates II Affordable  
Housing Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the following properties, to be owned by PathStone Corp., or an affiliated partnership or housing development fund company formed for the purpose of developing the project, and to be used for housing as a part of the Mildred Johnson Estates II Affordable Housing Project:

<u>Parcel Address</u>	<u>SBL#</u>
37 Alphonse Street	106.32-2-43
43 Alphonse Street	106.32-2-44
55 Alphonse Street	106.32-2-46.1
108 Alphonse Street	106.32-2-11.2
154 Alphonse Street	106.33-1-8
166 Alphonse Street	106.33-1-10
728-730 Clifford Avenue	106.32-2-31.1
732 Clifford Avenue	106.32-2-30
756-760 Clifford Avenue	106.32-2-25
45 Maria Street	106.32-1-55.1
54 Maria Street	106.32-1-37
89 Maria Street	106.23-3-53.1
91 Maria Street	106.23-3-52
88 Thomas Street	106.32-2-36
91 Thomas Street	106.32-1-19
92 Thomas Street	106.32-2-37
94 Thomas Street	106.32-2-38.1
95 Thomas Street	106.32-1-17.1
119 Thomas Street	106.24-2-65.1
133 Thomas Street	106.24-2-58.1
137 Wilkins Street	106.23-3-29.1
138 Wilkins Street	106.23-3-23.1
164 Wilkins Street	106.24-1-91.1
187 Wilkins Street	106.24-2-5.1
260 Wilkins Street	106.24-1-73.1

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with PathStone Corp., or an affiliated partnership or housing development fund company formed for the purpose of developing the project, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2009-278  
(Int. No. 305)

August 11, 2009  
Approving A Loan Agreement For The Mildred Johnson Estates II  
Affordable Housing Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a loan agreement with PathStone Corp., or an affiliated partnership or housing development fund company formed for the purpose of developing the project, whereby the City shall provide a loan to partially finance the costs of the construction of rental units as a part of the Mildred Johnson Estates II Affordable Housing Project. The funding shall initially be provided as an interest-free construction loan. Upon completion of construction, the loan may be converted to a 30-year loan with interest at the applicable Federal rate. Interest in the amount of 1% shall be payable annually. Payment of the additional interest and the principal shall be deferred until the end of the term. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$300,000, and of said amount, or so much thereof as may be necessary, \$100,000 is hereby appropriated from 2003-04 HOME Program Funds, \$4,000 is hereby appropriated from 2008-09 HOME Program Funds and \$196,000 is hereby appropriated from 2009-10 HOME Program Funds.

Section 3. The Mayor is further authorized to enter into such agreements as may be necessary to implement the Mildred Johnson Estates II Affordable Housing Project.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-279  
Re: Focused Investment Strategy Exterior  
And Security Rehabilitation Program  
For Landlords

Transmitted herewith for your approval is legislation related to the Exterior and Security Rehabilitation Program for Landlords, which is a component of the City's Focused Investment Strategy. This legislation will:

1. Appropriate \$977,650 from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Block Grant under the Neighborhood and Asset-Based Planning category; and
2. Establish \$77,650 maximum compensation for an agreement with Neighborworks Rochester, Inc. to provide services for the program (described below). The cost of the agreement will be funded from the appropriation requested herein.

The Exterior and Security Rehabilitation Program for Landlords (ESRPL) is similar to the owner-occupant program (authorized by Ordinance No. 2009-110) in that activities eligible for funding are the same. However, the construction management for the Landlords program will be coordinated by the City.

ESRPL funds will be used to improve the exteriors and/or enhance the security of privately-owned one- to four-unit residential rental properties. Design standards have been established that will result in enhanced neighborhood appeal. Exterior repairs may include: roof repair and/or replacement, siding or paint for the

August 11, 2009

house and garage, gutters, windows, exterior entry doors, front porch repair or replacement, driveways, sidewalks outside of the right-of-way, landscaping (foundation plantings only), demolition of garages or small exterior structures, or other enhancements as appropriate. Security repairs may include: entry door locks and dead bolts, back yard fencing, internal security alarm systems (monitoring services to be paid by homeowner), glass block windows in basements, and exterior lighting at entry ways and garages, if electric is already available.

A total of \$900,000 will provide deferred loans to a minimum of 50 eligible properties at a level not to exceed \$18,000 per property. Landlords will be required to provide a 10% funding match and documentation that tenant income does not exceed 80% of the area median income (AMI). Vacant properties are eligible for loans. The City loans will be forgiven after five years on condition that the landlord continues to rent to tenants earning incomes at or below 80% AMI, and maintains affordable rents (per rent schedule). A minimum of \$225,000 will be allocated to address 12 -15 properties in each FIS area.

To facilitate the tenant income documentation requirement, landlords will be allowed to use a portion of their match, not to exceed \$500, as an incentive to tenants to cooperate. Incentives may be items such as gift cards, flower planters, porch furniture, etc., but must be approved by the City.

Administration of the program is modeled on the City's Lead Hazard Control Program. The City will approve applications, coordinate the contractor bidding process, provide construction management, perform property inspections, and manage the payment process. Each unit enrolled in the ESRPL will automatically receive a lead-based paint risk assessment. If lead hazards are found, the property owner will be enrolled in the City's LHC Program for remediation. After the property has been made lead-safe, the owner will then be eligible for the ESRPL.

A request for proposals was issued on May 30, 2009; 20 local housing agencies and neighborhood associations were notified, and the RFP was posted on the City's Web site and in the *Democrat & Chronicle* newspaper. An informational meeting was held at City Hall and was attended by: Greater Rochester Housing Partnership, NEAD, The Housing Council, NCS Community Development Corporation, Southwest Planning Committee, ISLA Housing and Development Corporation, and Neighborworks Rochester.

Proposals were received from The Housing Council and Neighborworks Rochester. Based on staff review, Neighborworks Rochester was selected.

Neighborworks will act as the primary point of contact for landlords, and will be responsible for: distributing and receiving applications; meeting with prospective applicants; providing technical assistance; hosting workshops; collecting all required forms and documents; and submitting completed case files to the City.

The program will be marketed in each FIS area according to plans determined by their respective community stakeholders.

The program is expected to begin in September 2009.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-279  
(Int. No. 319)

Appropriating Funds And Authorizing Agreements For The Focused  
Investment Strategy Exterior And Security Rehabilitation Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 2008-09 Community Development Program the sum of \$977,650, or



August 11, 2009

so much thereof as may be necessary, to fund the Focused Investment Strategy Exterior and Security Rehabilitation Program for Landlords.

Section 2. The Mayor is hereby authorized to enter into an agreement with Neighborworks Rochester, Inc. to provide services for the Focused Investment Strategy Exterior and Security Rehabilitation Program for Landlords.

Section 3. The agreement shall obligate the City to pay an amount not to exceed \$77,650, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Section 1.

Section 4. The Mayor or his designee is hereby further authorized to enter into such additional agreements as may be necessary to implement the Program.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-280  
Re: American Recovery and Reinvestment  
Act of 2009 - Homelessness Prevention  
And Rapid-Re-Housing Implementation

Transmitted herewith for your approval is legislation relating to the Homelessness Prevention and Rapid Re-Housing Program (hereinafter HPRP) under the American Recovery and Reinvestment Act of 2009. This legislation will authorize agreements and appropriate HPRP funds as follows:

1. Appropriate HPRP funds in the amount of \$3,854,235. These funds are provided by the American Recovery and Reinvestment Act of 2009;
2. Authorize an agreement with Monroe County for the joint administration of HPRP;
3. Authorize a three-party agreement with the County and Coordinated Care Services, Inc. (CCSI) for CCSI to serve as lead agency for administration of the program for up to three years. The City share of compensation for this agreement, \$3,698,399, will be funded from the appropriation requested herein. The County share will be \$773,514 for total compensation to CCSI of \$4,471,913;
4. Authorize agreements for the 2009-10 operating year with nine providers of homelessness prevention services (listed below) totaling \$76,752 of the appropriation requested herein.

The most recent ordinance relating to this program was Ordinance 2009-149, passed by City Council on May 12, 2009. That legislation amended the 2008-09 Consolidated Community Development Plan, authorized the submission of the substantial amendment to HUD, and authorized the Mayor to enter into agreements for the receipt of these funds.

In the spring of 2009, HUD announced HPRP funds in the amounts of \$3,954,235 for the City and \$789,300 for the County. Of this amount, \$79,084 (2% of the City's total) will be reserved for City administrative costs.

The City and County and several community partners, including the Continuum of Care, the United Way, and the Rapid Re-Housing Committee, have worked together to plan program implementation and have developed

August 11, 2009

a model for service delivery. The model identifies eligible activities and categories of providers for those activities. In the model, a lead agency provides for: a. key administrative functions; b. outreach to providers and potential clients; and c. coordinating access/linkage of current service providers and their clients with case managers, specialists in housing location and legal services.

CCSI is a non-profit management services organization based in Rochester at 1099 Jay Street, Building J.

Using criteria outlined in the model, the City and County issued a joint Request for Proposal for implementation of the three-year program. The proposal submitted by Coordinated Care Services, Inc.(CCSI) for up to \$4,471,913 meets the requirements for the following key program elements: collaboration/coordination, service oversight, education/training of direct service staff, capacity for administrative and fiduciary responsibilities, outreach to homeless and at-risk populations, case management including tracking of a client and services delivered, coordination with housing services that link clients with permanent housing opportunities, coordination with legal service providers to resolve impediments such as documentation delays and eviction prevention.

2009-10 agency agreements - This legislation also proposes that nine agreements for homelessness prevention will be directly funded by the City during the 2009-10 program year. This will fund assistance and services that focus on homelessness prevention including financial assistance for those in danger of eviction. The organizations already have experience in the services that are HPRP eligible. The organizations and amounts are:

<u>Organization</u>	<u>Proposed Allocation</u>
Baden Street Settlement of Rochester, Inc.	\$ 9,500
Catholic Charities	6,600
Catholic Family Center/Emergency Services	11,940
Community Place of Greater Rochester/PHANS	11,270
Dimitri House	4,000
Grace Urban Ministries	13,880
Hillside Children's Center	1,542
Volunteers of America	7,190
Wilson Commencement Park	<u>10,830</u>
	\$76,752

This legislation supports the Housing Policy goal to Promote Housing Choice.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-280  
(Int. No. 320)

Appropriating Funds And Authorizing Agreements For The  
Homelessness Prevention And Rapid Re-Housing Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$3,854,235, or so much thereof as may be necessary, is hereby appropriated from Homelessness Prevention and Rapid Re-Housing Program Funds to fund the Homelessness Prevention and Rapid Re-Housing Program, which amount includes the sum of \$79,084 for administration.

Section 2. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for the joint administration of elements of the Homelessness Prevention and Rapid Re-Housing Program.

August 11, 2009

Section 3. The Mayor is hereby further authorized to enter into an agreement with the County of Monroe and Coordinated Care Services, Inc. for the services of a lead agency to administer projects under the Homelessness Prevention and Rapid Re-Housing Program.

Section 4. The agreement shall obligate the City to pay an amount not to exceed \$3,698,399, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Section 1.

Section 5. The Mayor is hereby authorized to enter into agreements with the following organizations in the following amounts, or the following amounts are allocated, for projects under the Homelessness Prevention and Rapid Re-Housing Program:

<u>Organization</u>	<u>Amount</u>
Baden Street Settlement of Rochester, Inc.	\$ 9,500
Catholic Charities	6,600
Catholic Family Center/Emergency Services	11,940
Community Place of Greater Rochester/PHANS	11,270
Dimitri House	4,000
Grace Urban Ministries	13,880
Hillside Children's Center	1,542
Volunteers of America	7,190
Wilson Commencement Park	10,830

Section 6. The agreements shall obligate the City to pay an amount not to exceed \$76,752, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Section 1.

Section 7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen

Ordinance No. 2009-281  
Re: Official Map Amendment - Rezoning  
Properties in the 600 Block of Jefferson  
Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning seven properties at 654-658, 663-687, 666, 672, 676, 691-693 and the front portion of 640 Jefferson Avenue from R-1 Low Density Residential to C-1 Neighborhood Center District.

In 2008, a collaborative process was undertaken in response to the community's desire to revitalize the Jefferson Avenue commercial district. The process has since expanded to include a comprehensive plan for the revitalization of the entire Jefferson Avenue corridor. The Jefferson Avenue Revitalization Plan, *A Bridge Between Hope & Action*, was issued in March 2009. A copy of the report is on file with the City Clerk.

The rezoning request, one of the report's recommendations, is designed to connect existing C-1 districts to the north and south of the subject area. Providing a continuous, consistently-zoned area along the corridor is designed to facilitate economic development and neighborhood stabilization. The overall goal is to attract uses to the corridor that provide essential neighborhood services, and which use or re-use underutilized land and buildings.

August 11, 2009

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal has been classified as unlisted. An environmental determination will be issued prior to City Council action.

The Planning Commission held an informational hearing on July 6, 2009. There were no speakers in support or in opposition to the proposed rezoning. By a vote of 5-0-1, the Commission recommends approval to City Council.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-98

Ordinance No. 2009-281  
(Int. No. 306)

Changing The Zoning Classification Of  
Part Of 640 Jefferson Avenue And 654-658,  
663-687, 666, 672, 676 And 691-693  
Jefferson Avenue From R-1 Low Density  
Residential To C-1 Neighborhood Center

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting part of 640 Jefferson Avenue and 654-658, 663-687, 666, 672, 676 and 691-693 Jefferson Avenue, from R-1 Low Density Residential to C-1 Neighborhood Center:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 12, 4000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point in the centerline of Jefferson Avenue (60' ROW) 130.0 feet south of the centerline of Bartlett Street (60' ROW), said point being the Point or Place of Beginning; thence

- 1) Easterly, along the extension and north line of Lot 11 of S. & H. Rosenblatts Subdivision, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 44, a distance of 137.0 feet to a point; thence
- 2) Southerly, parallel with said Jefferson Avenue, a distance of 218.5 feet, more or less, to the north line of Lot 15 of said Rosenblatts Subdivision; thence
- 3) Westerly, along said north line of Lot 15, a distance of 7.0 feet to a point; thence
- 4) Southerly, parallel with said Jefferson Avenue, a distance of 69.5 feet, more or less, to the centerline of Columbia Avenue (60' ROW); thence
- 5) Westerly, along said centerline of Columbia Avenue, a distance of 20.0 feet to a point; thence
- 6) Southerly, parallel with said Jefferson Avenue, a distance of 135.0 feet to the south line of Lot 45 of the John T Briggs Resubdivision, as filed in the Monroe County Clerk's Office in Liber 10 of Maps, Page 55; thence

August 11, 2009

- 7) Easterly, along the south line of Lots 45 & 43 of said Briggs Resubdivision, a distance of 35.0 feet to a point; thence
- 8) Southerly, parallel with said Jefferson Avenue, a distance of 10.0 feet to a point; thence
- 9) Easterly, parallel with said Columbia Avenue, a distance of 8.42 feet to the northwest corner of Lot 42 of said Briggs Resubdivision; thence
- 10) Southerly, along the west line of said Lot 42, a distance of 13.94 feet to a point; thence
- 11) Westerly, parallel with Hawley Street (50' ROW) and 100.0 feet distant therefrom, a distance of 153.5 feet, more or less, to the said centerline of Jefferson Avenue; thence
- 12) Southerly, along said centerline, a distance of 125.0 feet, more or less, to the centerline of said Hawley Street; thence
- 13) Westerly, along said centerline of Hawley Street, a distance of 150.0 feet, more or less, to the extension of the west line of Lot 6 of the Jefferson Avenue Lot Association Resubdivision, as filed in the Monroe County Clerk's Office in Liber 6 of Maps, Page 14; thence
- 14) Northerly, along said extension and the west line of Lots 6 & 5, a distance of 100.55 feet, more or less, to the northwest corner of said Lot 5; thence
- 15) Easterly, along the north line of said Lot 5, a distance of 12.0 feet to a point; thence
- 16) Northerly, parallel with said Jefferson Avenue, a distance of 37.77 feet to the north line of Lot 4 of said Resubdivision; thence
- 17) Westerly, along said north line of Lot 4, a distance of 16.5 feet to a point; thence
- 18) Northerly, parallel with said Jefferson Avenue, a distance of 143.3 feet, more or less, to the said centerline of Columbia Avenue; thence
- 19) Easterly, along said centerline, a distance of 154.5 feet, more or less, to the said centerline of Jefferson Avenue; thence
- 20) Northerly, along said centerline of Jefferson Avenue, a distance of 289 feet, more or less, to the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Introductory No. 318  
Re: Official Map Amendment -  
School Alley

Transmitted herewith for your approval is legislation amending the Official Map by authorizing the abandonment of a portion of School Alley from Broad Street to the southern end, approximately 2,654 square feet.

August 11, 2009

The abandonment will help to facilitate the County of Monroe Crime Lab Project located at the southeast corner of Broad Street and South Plymouth Avenue. The abandonment was referred to the necessary agencies for comment. There are no utilities on the site. There is no record with the City of any fee title to this portion of land; the right-of-way ownership will revert to the County upon abandonment.

The City Planning Commission, in its July 6, 2009 meeting, recommended approval of this abandonment by a vote of 6-0-0, subject to conditions outlined by the City Engineer. The recommendation and minutes of that meeting are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Introductory No. 318

AMENDING THE OFFICIAL MAP BY ABANDONMENT OF A  
PORTION OF SCHOOL ALLEY FROM BROAD STREET TO ITS  
SOUTH END

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of School Alley:

ALL THOSE TRACTS OR PARCELS OF LAND situate in the Hundred Acre Tract, City of Rochester, County of Monroe, State of New York, more particularly described as follows:

Beginning at the intersection of the south street line of West Broad Street and the west street line of School Alley, said point being N 83° 43' 43" E a distance of 107.47 feet from South Plymouth Avenue as measured along the south street line of West Broad Street; thence

1. N 83° 43' 43" E, along the south street line of West Broad Street a distance of 10.35 feet to an angle point; thence
2. N 80° 44' 20" E, along the south street line of West Broad Street a distance of 4.89 feet to its intersection with the east street line of School Alley; thence
3. S 17° 24' 14" E, along the east street line of School Alley a distance of 175.72 feet to a point on the north line of lands owned by the County of Monroe; thence
4. S 72° 41' 06" W, along the north line of said County of Monroe lands a distance of 15.00 feet to its intersection with the west street line of School Alley; thence
5. N 17° 24' 14" W, along said west street line of School Alley, a distance of 178.39 feet to the point or place of beginning, being 2654.52 sq. ft. or 0.061 acre more or less.

All as shown on a map prepared by Larsen Engineers, dated 9/24/08 entitled "ABANDONMENT MAP, SCHOOL ALLEY TO MONROE COUNTY", and designated Map No. 1.

August 11, 2009

Section 2. The abandonment authorized herein shall take effect upon compliance by the applicant with the provisions established by the City Planning Commission in its recommendations of July 6, 2009.

Section 3. This ordinance shall take effect immediately.

Held in committee.

---

By Councilmember Lightfoot  
August 11, 2009

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 307 - Establishing Maximum Compensation For A Professional Services Agreement For The 2009 Milling And Resurfacing Program

Int. No. 308 - Authorizing An Agreement And Amending The 2009-10 Budget With Respect To A City Hall Grant

Int. No. 309 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$4,148,000 Bonds Of Said City To Finance The Cost Of The Reconstruction Of The Genesee Crossroads Parking Garage Within The City

Int. No. 322 - Authorizing A Grant Application And Agreement For The Port Of Rochester Public Marina Project

Respectfully submitted,  
John F. Lightfoot  
Carla M. Palumbo  
Gladys Santiago  
William F. Pritchard  
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-282  
Re: Agreement - Lu Engineers, Asphalt  
Milling and Resurfacing (ARRA)

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for an agreement with Lu Engineers, 39 State Street, Rochester, for resident project representation (RPR) services for the milling and resurfacing of various City streets. The cost of the agreement will be financed from funding received through the Federal American Recovery and Reinvestment Act (2009) and appropriated through Ordinance 2009-73.

August 11, 2009

The project involves milling and resurfacing and micro-paving various City streets. Work will include: repairing the existing pavement base; adjustments of water valve and sewer castings; resetting or installing new curb; spot sidewalk replacement; and the installation of painted pavement markings.

As a stimulus-funded project administered by the New York State Department of Transportation, it is required that a consultant be selected from the State's Local Design Services Agreement (LDSA) list. The NYSDOT recently solicited qualifications from fifteen consultants on their LDSA for RPR services on Stimulus Aid projects. These qualifications were used by City Engineering staff to select a consultant. Lu Engineers was selected based on their capabilities and availability of staff.

Resident project representation services will begin with project construction. It is anticipated that construction will commence in late summer 2009, with completion in spring 2010.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-282  
(Int. No. 307)

Establishing Maximum Compensation For A Professional Services  
Agreement For The 2009 Milling And Resurfacing Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lu Engineers for resident project representation services for the 2009 Milling and Resurfacing Program. The agreement may extend until three (3) months after completion of a two-year guarantee inspection of the project. Said amount shall be funded from American Recovery and Reinvestment Act Funds appropriated in Section 12 of Ordinance No. 2009-73.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2009-283  
Agreement - New York State Office  
Of Parks, Recreation and Historic  
Preservation, Environmental  
Protection Fund Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Office of Parks, Recreation & Historic Preservation for the receipt and use of an award of Environmental Protection Fund - Historic Preservation funds in the amount of \$350,000, and amending the 2009-10 Cash Capital allocation to reflect the award.

These funds will be used to support the tower portion of the City Hall Brownstone Restoration project. Funds committed will reimburse the City for pre-development, construction, and staff administration costs. The City's required match of 50% is well-exceeded by the costs for the tower stone repointing and replacement, which is \$2,110,800.



August 11, 2009

The project must be completed in sufficient time for the City to complete all reporting requirements and submit all vouchers for reimbursement by present grant deadlines of 2011.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-283  
(Int. No. 308)

Authorizing An Agreement And Amending The 2009-10 Budget  
With Respect To A City Hall Grant

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for the City Hall Brownstone Restoration Project.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Cash Capital allocation by the sum of \$350,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-284  
Re: Genesee Crossroads Parking Garage  
Structural Repairs Project

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$4,148,000, and the appropriation of the proceeds thereof to finance the costs of structural repairs to the Genesee Crossroads Parking Garage.

The garage, built in 1969, provides parking for area businesses as well as primary parking for the Rochester Plaza Hotel and Conference Center. Deteriorating concrete decks, columns and beams due to the age of the structure necessitate a comprehensive restoration of the 383,700 square-foot garage.

The project will repair concrete structural elements on garage levels A through C, including deck surfaces, beams, columns and walls. The level of repair varies by area, but may include full depth deck removal and replacement as well as column removal and reconstruction. Repairs to cracks and joints with epoxy injections will serve as structural strengthening and waterproofing measures, respectively. New lighting will also be installed.

Design of the improvements was completed by Herrick-Saylor Engineers, P.C., authorized in August 2008 (Ord. No 2008-301) to evaluate prior structural reviews of the garage, and to recommend and design a comprehensive repair of the structure. Construction estimates provided by the consultant totaled \$3,627,413, with efficient lighting replacement estimated at \$62,226.

August 11, 2009

Bids for construction of the project were received on July 9, 2009. The work will be performed by the following firms:

<u>Firm</u>	<u>Cost</u>
Crane-Hogan Structural Systems, Inc.	\$3,268,745
Hilliano Construction & Electrical Co.	248,000
Leclair Fleming Mechanical Contractors, Inc.	79,079
John W. Danforth Co.	<u>169,000</u>
Total	\$3,764,824

The project will include \$383,176 (10%) allocated for contingencies, financed from the proposed bond issue. Construction will commence in fall 2009, with completion planned for summer 2010.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-284  
(Int. No. 309)

Bond Ordinance Of The City Of Rochester, New York, Authorizing  
The Issuance Of \$4,148,000 Bonds Of Said City To Finance The  
Cost Of The Reconstruction Of The Genesee Crossroads Parking  
Garage Within The City

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the reconstruction of the Genesee Crossroads Parking Garage, a Class "A" building within the City, including but not limited to repairs to concrete structural elements on garage levels A through C, including decks, beams, columns and walls (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is estimated to be \$4,148,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$4,148,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$4,148,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$4,148,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.12(a)(1) of the Law, is twenty-five (25) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of

August 11, 2009

the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-285  
Re: Port of Rochester Boating  
Infrastructure Grant (BIG)  
Application - US Department of  
Interior, Wildlife and Sport Fish  
Restoration Program, FY 2010

Transmitted herewith for your approval is legislation which will authorize a grant application to New York State for federal funding to partially finance construction of the proposed Port of Rochester Public Marina project. The total Phase 1 marina project cost is estimated to be \$15.9 million, of which approximately \$3.5 million is eligible for reimbursement through the Boating Infrastructure Grant (BIG) program, provided through the Sportfishing and Boating Safety Act of 1998 (Public Law 105-178). The BIG Program requires a 25% local match.

August 11, 2009

The U.S. Department of the Interior anticipates awarding approximately \$10 million in BIG Tier II funding for FY 2010. BIG provides funding to construct, renovate and maintain either publicly or privately owned infrastructure for transient (occupancy for ten days or less), non-trailerable recreational vessels 26' in length or longer. Facilities constructed with BIG funding must provide public access. Applications to the U.S. Fish and Wildlife Service Regional Wildlife and Sport Fish Restoration Program Office are due by September 25, 2009, but must first be submitted to New York State in late August. It is expected that awards will be announced in February 2010.

The Port Marina project, a component of the Port of Rochester Public Marina and Mixed Use Development Plan, is provided for in the Local Waterfront Revitalization Program amendment recently submitted to New York State Department of State for approval, as authorized by Council on July 14, 2009. The Port Marina project feasibility study was completed in December 2008. Preliminary design and permitting are currently underway and were authorized by Ordinance No. 2009-15. Permit applications for construction of the marina and work in the Genesee River are being submitted to the U.S. Army Corps of Engineers and the NYS Department of Environmental Conservation. Construction of the first phase of the marina project is contingent upon completion of the State Environmental Quality Review (SEQR), obtaining federal and state permits, and completion of final plans and design.

It is anticipated that the proposed marina at full build-out will contain approximately 118 slips, approximately 50% transient and 50% seasonal. Potentially eligible activities must support, serve and provide public access to transient facilities.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-285  
(Int. No. 322)

Authorizing A Grant Application And Agreement For The Port Of  
Rochester Public Marina Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for funding for the Port of Rochester Public Marina Project under the Boating Infrastructure Grant Program.

Section 2. The application and agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

---

By Councilmember Miller  
August 11, 2009

To the Council:

The Economic Development & The Environment Committee recommends for Adoption the following entitled legislation:

August 11, 2009

Int. No. 310 - Resolution In Support Of Environment And Climate Protection Actions

Respectfully submitted,  
Dana K. Miller  
John F. Lightfoot  
Elaine M. Spaul  
Gladys Santiago  
ECONOMIC DEVELOPMENT & THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2009-14  
Re: Climate Protection Resolution

Transmitted herewith for your approval is legislation endorsing a resolution in support of climate protection activities undertaken by the City. This resolution recognizes the several established and ongoing commitments the City has made to environmental sustainability, including the following:

- Signatory to the original Mayors Climate Protection Agreement, since endorsed by the US Conference of Mayors;
- Mayor's Green Team and endorsement of the City's Environmental Mission Statement;
- Incorporation of renewable energy sources for municipal electricity (currently 25% overall);
- Purchase of high fuel efficiency and alternative fuel vehicles;
- Incorporation of US Green Building Council standards in all City projects wherever appropriate; and
- Participation in the New York State Department of Environmental Conservation Smart Communities Program.

A Climate Protection Resolution will also support the ongoing and future activities of the City, which include:

- Developing and implementing policies for City operations and practices that reduce carbon emissions;
- Facilitating grant applications that require Council endorsement;
- Implementing various plans as anticipated and required by State and Federal regulations; and
- Promoting economic development through the creation of jobs related to climate protection activities, and through the positioning of the City as a livable, green city.

Upon passage of this resolution, the Administration will be prepared to provide periodic reports to Council and the public regarding the City's climate protection goals and progress toward meeting those goals.

Respectfully submitted,  
Robert J. Duffy  
Mayor

August 11, 2009

Resolution No. 2009-14  
(Int. No. 310)

Resolution In Support Of Environment And Climate Protection  
Actions

WHEREAS, the City of Rochester recognizes the threat posed by global warming to the health, safety and welfare of the residents and businesses of Rochester and the need to reduce energy costs and dependence on foreign and unsustainable energy sources; and

WHEREAS, the City of Rochester is required to attain environmental compliance with state and federal regulations and strives to reduce pollution on its own properties and on privately owned property within the City; and

WHEREAS, the City of Rochester's Comprehensive Plan includes environmental stewardship as an important element to protect and improve the overall quality of our environmental assets and resources (air, land and water quality), our community's three great waterways (Lake Ontario, the Genesee River and the Erie Canal), our unique and historic parks system, our open space areas and urban forest and our clean neighborhood environments; and

WHEREAS, the City of Rochester recognizes that sustainable environmental practices are critical to the economic development future and long-term financial stability of Rochester and that it has a responsibility to the Rochester community to be an environmental steward and leader in promoting green practices to reduce energy use and costs to the City; and

WHEREAS, local government actions to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits including reduced energy cost, green space preservation and brownfield redevelopment, air and water quality improvements, reduced traffic congestion, economic development, energy conservation and job creation through new energy technologies; and

WHEREAS, the New York State Department of Environmental Conservation has encouraged municipalities to join its Climate Smart Communities Program by pledging to voluntarily undertake climate protection actions; and

WHEREAS, the U.S. Conference of Mayors has adopted a strong policy resolution calling upon cities, communities and the federal government to take action to reduce global warming; and

WHEREAS, Rochester is one of over 850 cities that have signed the U.S. Mayors Climate Protection Agreement which commits cities to:

- strive to reduce global warming pollution in their own communities, through actions such as conducting a greenhouse gas inventory, adopting anti-sprawl land-use policies, increased use of alternative energy sources, increasing the fuel efficiency of municipal fleet vehicles, urban forest restoration projects and public education campaigns;
- urge their state governments, and the federal government, to enact policies and programs to meet or beat the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol -- 7% reduction from 1990 levels by 2012; and
- urge the U.S. Congress to pass the bipartisan greenhouse gas reduction legislation, which would establish a national emission trading system; and

WHEREAS, the Mayor has established an interdepartmental Green Team and has endorsed the City of Rochester Environmental Mission Statement which expresses the City of Rochester's commitment to outstanding environmental stewardship through practice and policy; and

August 11, 2009

WHEREAS, the City of Rochester has a unique opportunity to provide leadership for the greater Rochester community to advance environmental sustainability while promoting social equity and encouraging a vibrant economy;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that the City is committed to the long-range goal of reducing its greenhouse gas emissions as follows:

Section 1. In the course of performing its municipal responsibilities and providing municipal services, the City of Rochester will pursue the reduction of greenhouse gas emissions from City operations and practices in the following areas:

- Purchasing of goods and services
- Energy use
- Building design and construction
- Land use
- Street and public space design and construction
- Source reduction and recycling
- Air and water quality and conservation
- Transportation

Section 2. The Mayor shall develop specific policies and practices for the areas listed above that will include the preparation of a greenhouse gas inventory and greenhouse gas reduction target, development and implementation of a local Climate Action Plan as well as measures to monitor and verify results.

Section 3. A comprehensive program of training and education of City employees and a public outreach program shall be undertaken to ensure that the policies and practices are understood, accepted and implemented both within City government and by the community.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

---

By Councilmember McFadden  
August 11, 2009

To the Council:

The Public Safety & Recreation Committee recommends for Adoption the following entitled legislation:

Int. No. 311 - Authorizing Agreements With The County Of Monroe For Funding For Police Programs

Int. No. 312 - Authorizing A Grant Agreement With The New York State Crime Victims Board

Int. No. 313 - Authorizing An Agreement For The STAR Program

Int. No. 314 - Establishing Maximum Compensation For A Professional Services Agreement For Counseling And Stress Management Services

Int. No. 316 - Establishing Maximum Compensation For A Professional Services Agreement For A Safety Study Of The Outdoor Firing Range

August 11, 2009

Int. No. 317 - Approving Applications, Agreements And The 2009 Administrative And Program  
Budgets Of The Rochester-Monroe County Youth Bureau

Respectfully submitted,  
Adam C. McFadden  
Dana K. Miller  
Elaine M. Spaul  
Gladys Santiago  
William F. Pritchard  
PUBLIC SAFETY & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-286  
Re: Agreements - Monroe County,  
Police Programs

Transmitted herewith for your approval is legislation authorizing agreements with Monroe County for the receipt and use of funds related to two Police Department programs as described below. The agreements were authorized by the Monroe County Legislature in June 2009.

2009-10 Firearms Instruction

The County provides reimbursement for a portion of the salary and benefits of firearms instructors to train officers in Monroe County police agencies. The amount for 2009-10 is \$83,513. Instruction is provided by RPD officers assigned to provide shooting range training. No budget amendment is needed; the positions were included in the 2008-09 and 2009-10 Budgets of the Police Department. The calendar year 2008 agreement, for \$55,675, was authorized under Ord. No. 2008-230 in June 2008.

2009-10 Downtown Public Safety

The County provides funding to support public safety services provided by the City to benefit all the residents of the County including, but not limited to, those residents commuting into the City on a regular basis to their place of employment. The amount for 2009-10 is \$450,000. The County funding does not fully reimburse these services, but is provided in recognition of the public safety burden for which the City has the major responsibility. The calendar year 2008 agreement, for \$300,000, was authorized by City Council under Ord. No. 2008-230 in June, 2008. No budget amendment is needed.

Each of these amounts represents funding for an 18-month period - January 1, 2009 through June 30, 2010 - to bring the appropriations in line with the City's fiscal year. Previously the appropriations were on a calendar year basis. On an annualized basis, the amounts authorized for each program are unchanged from previous years.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-286  
(Int. No. 311)

Authorizing Agreements With The County Of Monroe For Funding  
For Police Programs



August 11, 2009

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the County of Monroe for reimbursement for the Downtown Public Safety and Firearms Instruction Programs through June 30, 2010.

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-287

Re: Agreement - New York State,  
Crime Victims Board

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Crime Victims Board for a three-year award of \$800,142 for the period of October 1, 2009 to September 30, 2012. The annual disbursements will be as follows:

October 1, 2009 - September 30, 2010	\$258,087
October 1, 2010 - September 30, 2011	\$266,613
October 1, 2011 - September 30, 2012	\$275,442

The previous Crime Victims Board grant was approved on August 23, 2006 under City Council Ordinance No. 2006-243. A 25% match is required for this grant and is included in the 2009-10 Budget.

This grant is used primarily to support salary expenses for counseling positions in the Family and Victims Services Section of the Police Department.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-287  
(Int. No. 312)

Authorizing A Grant Agreement With The New York State Crime  
Victims Board

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Crime Victims Board for funding for the Family and Victim Services Section of the Rochester Police Department.

Section 2. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

August 11, 2009

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-288  
Re: Agreement - Boys & Girls Clubs,  
STAR Program

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with Boys & Girls Clubs of Rochester for the Sisters Together Achieving Results (STAR) program and appropriating this amount to finance the agreement from the General Community Needs allocation of the 2009-10 Community Development Block Grant.

The STAR program is considered a program with matching funds and is eligible for up to five years of funding under the Youth Services funding guidelines approved by City Council in June 1981. The program is in its fourth year of funding.

The STAR Program will provide young women in grades 9-12 with mentoring, employment and self-development workshops, tutoring, and community service projects. A project description and budget are attached.

The most recent agreement for these services was approved by Council on July 15, 2008 in Ord. No. 2008-281.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-99

Ordinance No. 2009-288  
(Int. No. 313)

#### Authorizing An Agreement For The STAR Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Boys & Girls Club of Rochester, Inc. for the Sisters Together Achieving Results (STAR) Program.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs allocation of the 2009-10 Community Development Program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-289  
Re: Agreement - Strong Employee

August 11, 2009

Assistance Program, Counseling  
And Stress Management Services

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with the University of Rochester Medical Center's Strong Employee Assistance Program for the provision of counseling and critical incident stress management services to Fire Department employees and their family members. The cost of the agreement will be funded from the 2009-10 and subsequent annual Budgets of the Fire Department.

A request for proposals was issued on June 24, 2009 and mailed to four local service providers including Strong EAP, Catholic Family Center, The Health Association-EAP, and Associates in Employee Assistance.

Strong EAP's proposal offers a comprehensive package of employee assistance services to address individual, family, and work-life needs. These services include confidential assessment and short-term treatment; consultation and training for supervisors and managers to identify and resolve job performance issues; and direct linkage to mental health and wellness resources on 24/7 crisis coverage by trained clinicians.

The agreement will have an initial term of two years with provision for two additional one-year renewal periods.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-289  
(Int. No. 314)

Establishing Maximum Compensation For A Professional Services  
Agreement For Counseling And Stress Management Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and the Strong Employee Assistance Program, University of Rochester Medical Center, for counseling and stress management services for employees of the Rochester Fire Department, for a term of two years, with two one-year renewal periods. Said amounts shall be funded from the 2009-10 and subsequent Budgets of the Rochester Fire Department, subject to approval of subsequent budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-290  
Re: Agreement - Barton & Loguidice,  
P.C., Firing Range Safety Study

Transmitted herewith for your approval is legislation establishing \$45,000 as maximum compensation for an agreement with Barton & Loguidice, P.C.(B&L), Rochester, in partnership with Metcalf Range Consulting, for a study of the Outdoor Firing Range located at the Fire/Police Training complex. The cost of this agreement will be funded from a year-end encumbrance of the 2008-09 Budget of the Police Department.

August 11, 2009

The study will identify safety deficiencies in the range - particularly its structure, equipment, maintenance program, and operating procedures - and will propose options for corrective actions to assure the safe operation. A primary concern is the containment of projectiles.

In 2000, the City improved the outdoor range, including the construction of earth berm enclosures on three sides and installation of a reclining rubberized bullet trap, to meet or exceed the technical specifications for police training ranges.

The range operated without incident until last year, when projectiles, presumed to originate from the range, were found in nearby public areas. With no obvious explanation for this, further investigation is warranted.

A Request for Proposals was sent to 26 firms. Four firms submitted proposals before the deadline. Proposals were opened and reviewed on July 27, 2009. Based on qualifications, ability to meet the schedule, and price, B&L is recommended.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-290  
(Int. No. 316)

Establishing Maximum Compensation For A Professional Services  
Agreement For A Safety Study Of The Outdoor Firing Range

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$45,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Barton & Loguidice, P.C. for a safety study of the outdoor firing range. Said amount shall be funded from the 2008-09 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-291  
Re: Rochester-Monroe County Youth  
Bureau 2009 Budgets

Transmitted herewith for your approval is legislation related to the Rochester-Monroe County Youth Bureau. This legislation will:

1. Authorize an agreement with the County of Monroe on behalf of the Rochester-Monroe County Youth Bureau, for the administration of the program and for partial financing of the programs;
2. Approve the City's shares of \$75,730 and \$114,822 to the annual administrative and program budgets of the Youth Bureau, respectively. Half of the administrative amount, \$37,865, and all of the program budget amount will be reimbursed to the City directly from the New York State Office of Children and Family Services;

August 11, 2009

3. Establish maximum compensation for agreements to implement the three City programs below (2008 figures are shown for comparison. Note: the DRYS allocation was included in the 2008-09 Budget):

<u>Program</u>	<u>2008 Amount</u>	<u>2009 Amount</u>	<u>Change</u>
1. SPCC - Family Violence Program	\$ 24,153	\$ 20,465	- \$ 3,688
2. Baden - Project B.A.S.E.	15,674	13,281	-2,393
3. Baden - Project Odyssey	6,600	5,592	-1,008
Direct allocation to DRYS	<u>89,085</u>	<u>75,484</u>	<u>-13,601</u>
Total	\$135,512	\$114,822	- \$20,690

Agreements with SPCC and Baden will be funded from the 2008-09 Budget of the Department of Recreation and Youth Services.

4. Authorize subsequent amendments to these agreements that may be required by the New York State Office of Children and Family Services.

The Youth Bureau, jointly established by the City and County, provides a county-wide planning and service delivery system devoted to the welfare and development of children and youth. It is supervised by a Citizen/Youth Board, administered by the County, and supported financially by the City, the County, and the NYS Office of Children and Family Services. The annual budget of the Youth Bureau is subject to the approval of both the City and the County.

Due to delays in the State budget process, notification of the 2009 amounts was not received until late June.

Program descriptions for the City programs are attached. In 2008, these programs served 1025 youth (68% Black, 11% White, 17% Hispanic, 4% all other).

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-100

Ordinance No. 2009-291  
(Int. No. 317)

Approving Applications, Agreements And The 2009 Administrative  
And Program Budgets Of The Rochester-Monroe County Youth  
Bureau

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the 2009 Administrative and Program Budgets of the Rochester-Monroe County Youth Bureau and the City's participation in the 2009 Comprehensive Youth Services Plan. The Mayor is authorized to execute such agreements and make such applications as may be necessary to effectuate the 2009 Comprehensive Youth Services Plan. The City's required contribution to the 2009 Youth Bureau Budget shall be financed equally from the 2008-09 and 2009-10 Budgets of the Department of Recreation and Youth Services.

Section 2. The Mayor is further authorized to enter into an agreement with the Society for the Protection and Care of Children for the operation of the Family Violence Program. Said agreement shall obligate the City to prefinance an amount not to exceed \$20,465, and said amount, or so much thereof as may be necessary, shall be funded from the 2008-09 Budget of the Department of Recreation and Youth Services.

August 11, 2009

Section 3. The Mayor is further authorized to enter into an agreement with the Baden Street Settlement, Inc. for the operation of Project Base. Said agreement shall obligate the City to pay an amount not to exceed \$13,281, and said amount, or so much thereof as may be necessary, shall be funded from the 2008-09 Budget of the Department of Recreation and Youth Services.

Section 4. The Mayor is further authorized to enter into an agreement with the Baden Street Settlement, Inc. for the operation of Project Odyssey. Said agreement shall obligate the City to pay an amount not to exceed \$5,592, and said amount, or so much thereof as may be necessary, shall be funded from the 2008-09 Budget of the Department of Recreation and Youth Services.

Section 5. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:27 p.m.

DANIEL B. KARIN  
City Clerk